

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
JOSHUA M. BERMAN,

Index No. 08-CV-00043 (DAB)

Plaintiff,

-against-

**AFFIDAVIT OF SERVICE**

TYCO INTERNATIONAL LTD.,  
a Bermuda corporation, and  
TYCO INTERNATIONAL (US) INC.,  
a Nevada corporation,

Defendants.  
-----X

STATE OF NEW YORK     )  
                                  )ss.:  
COUNTY OF NEW YORK    )

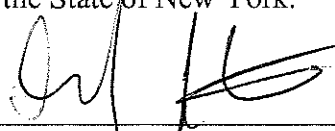
DAVID FOUNTAINE, being duly sworn, deposes and says:

Deponent is not a party to this action, is over the age of 18 years, and resides in New York, New York. That on January 25, 2008 deponent served the within **STATEMENT PURSUANT TO LOCAL CIVIL RULE 18.1** upon:

John H. Kazanjian, Esq.  
Zackary D. Knaub, Esq.  
Beveridge & Diamond, P.C.  
477 Madison Avenue, 15<sup>th</sup> Floor  
New York, NY 10022

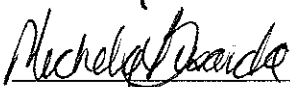
by depositing the same enclosed in a postpaid properly addressed wrapper directed to each of the said corporations at the above addresses in an official depository under the exclusive care and

custody of the United States Postal Service within the State of New York.



DAVID FOUNTAINE

Sworn to before me this  
25<sup>th</sup> day of January 2007.



NOTARY PUBLIC

**MICHELA M. BUSARDO**  
Notary Public, State of New York  
No. 01BU6163942  
Qualified in New York County  
Commission Expires April 9, 2007 